REMARKS

Claims 1-18 are pending in the application. Claims 1 and 10 have been amended herein. Favorable reconsideration of the application, as amended, is respectfully requested.

The present invention is directed to an optical disk apparatus and method which can reduce scoop, i.e., fluctuation in the output power of a laser. For example, the optical disk apparatus of claim 1 includes a second photodetection device, a light source driving section and amplitude fluctuation section. The second photodetection device detects a portion of the light emitted from the light source and outputs a second signal. As is clarified by the above amendment, the light source driving section receives the second signal *and based on the second signal, drives the light source so as to emit the light at an output power of the light source which equals a target value*. The amplitude fluctuation detection detects an amplitude fluctuation amount of the second signal, and *if the amplitude fluctuation amount exceeds a predetermined value*, *changes driving characteristics of the light source driving section*.

Claim 10 recites a corresponding method and has been amended similar to claim 1. Support for the amendments to claims 1 and 10 may be found, for example, in the present application at page 25, line17 to page 26, line 17.

I. REJECTION OF CLAIMS 1 AND 10 UNDER 35 USC §102(b)

Claims 1 and 10 stand rejected under 35 USC §102(b) based on *Yoshimoto et al.* Applicants respectfully request withdrawal of the rejection for at least the following reasons.

As noted above, the light source driving section of the claimed invention drives a light source based on the second signal so as to emit the light at an output power

which equals a target value. In the event an amplitude fluctuation amount of the second signal exceeds a predetermined value, on the other hand, the amplitude fluctuation detection section changes driving characteristics of the light source driving section which serves to drive the light source so as to emit the light at an output power which equals a target value. As exemplified in the specification, the driving characteristics that may be changed include the current for driving the light source, the modulation frequency, the oscillation power, and the like. (Spec., p. 26, lns. 10-17).

For reasons explained more fully below, *Yoshimoto et al.* does not teach or suggest an apparatus or method as recited in claims 1 and 10. *Yoshimoto et al.* describes an optical disk drive which automatically adjusts the offset values in a servo circuit for focusing and tracking controls. *Thus, Yoshimoto et al. is concerned with providing positional control of the light beam, such as focusing and tracking, and does not teach or suggest changing driving characteristics associated with the output power control of the light source*. That is, *Yoshimoto et al.* fails to teach or suggest the light source driving section as claimed.

[Intentionally Left Blank]

Yoshimoto et al.

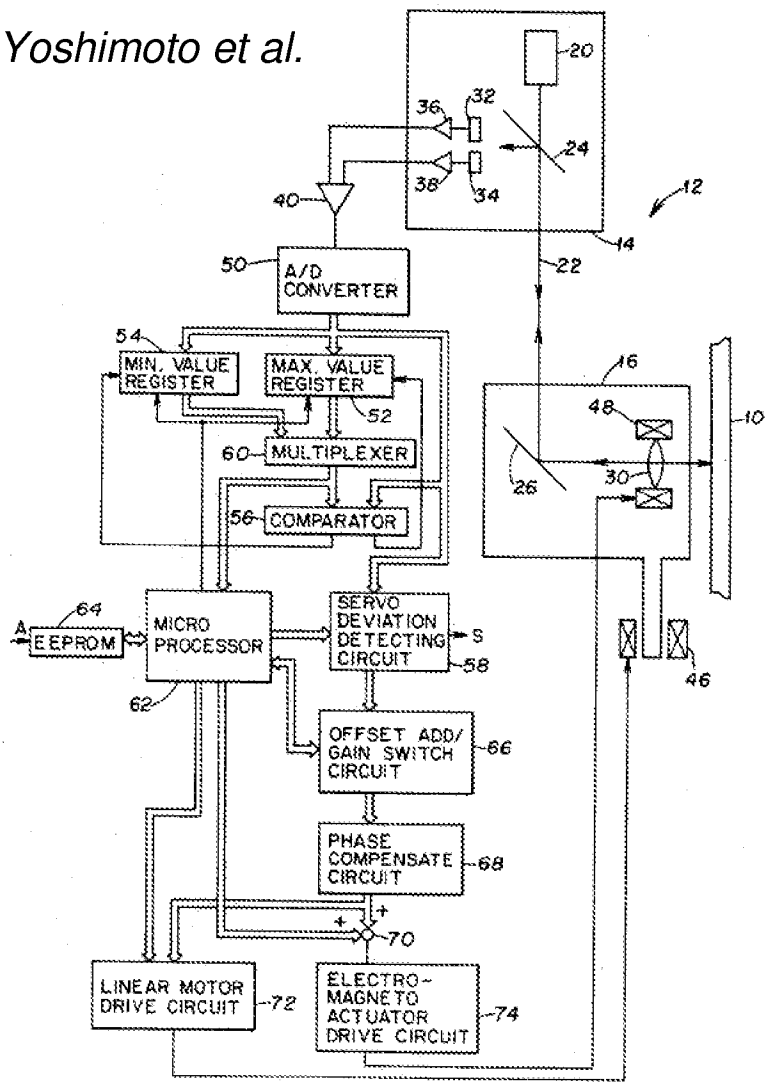

Fig. 1(a)

In rejecting claims 1 and 10, the Examiner refers to Fig. 1(a) (reproduced herein) and column 12, lines 54-64 of *Yoshimoto et al.* Specifically, the Examiner refers to *Yoshimoto et al.* as teaching the recited amplitude fluctuation detection section. However, *Yoshimoto et al.* relates to techniques for controlling the beam position (tracking) and focus in an optical drive. The section cited by the Examiner refers to providing tracking control based on the detected tracking signal determined by the differential amplifier 40. Based on the tracking signals, the driving current of the actuator 48 is changed so as to adjust the position of the movable optical head portion 16.

Notably, the *Yoshimoto et al.* is not concerned with adjusting or controlling the output power of the light source (light emitting device) 20. As shown in Fig. 1(a), there is no feedback control shown with regard to controlling the output power of the light source. Accordingly, *Yoshimoto et al. does not teach or suggest an amplitude fluctuation detection section which changes the driving characteristics of the light source driving section, wherein the light source driving section is driving the output power of the light source*.

For at least the above reasons, applicants respectfully submit that *Yoshimoto et al.* neither teaches nor renders obvious the invention as recited in claims 1 and 10. Withdrawal of the rejection is respectfully requested.

II. REJECTION OF CLAIMS 2-9 AND 11-18 UNDER 35 USC §103(a)

Remaining claims 2-9 and 11-18 are rejected under 35 USC §103(a) based on *Yoshimoto et al.* in view of *Nakamura et al.* and/or *Miyazaki et al.* Withdrawal of the rejection is respectfully requested for at least the following reasons.

Applicants note that claims 2-9 and 11-18 depend from either claim 1 or 10, and may be distinguished over the teachings of *Yoshimoto et al.* for at least the same reasons discussed above. Moreover, neither *Nakamura et al.* nor *Miyazaki et al.* is found to make up for the above-discussed deficiencies in *Yoshimoto et al.*

III. CONCLUSION

Accordingly, all claims 1-18 are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

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